

Remarks

Claims 1-6 and 8-31 are in the application, of which claims 1 and 17 are in independent form. Claim 7 is canceled, and new claims 17-31 are added by this amendment.

Claims 1-3 are objected to for the following informalities:

Regarding claim 1, the Examiner states that “generating by at least the first sensor a first and second sensor signal” is not disclosed.

Regarding claim 2, the Examiner states that “the wavelength selective element includes a switchable wavelength selective element that causes the first sensor to alternately receive the first and second wavelength ranges of the electromagnetic radiation” is not disclosed.

Regarding claim 3, the Examiner states that “the first sensor generates the first and second sensor signals in response to alternately receiving the first and second wavelength” is not disclosed.

Applicants respond by amending specification paragraph [0123] to recite the subject matter of originally filed claims 1-3 and request, therefore, that this objection be withdrawn.

Claim 7 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants note that the Office Action Summary sheet indicates that claim 16 is objected to, whereas the Detailed Action indicates claim 7. Moreover, the Detailed action includes no rejection of claim 16. Applicants conclude, therefore, that the Examiner intended to object to claims 7 and 16.

Applicants respond by canceling claim 7, and amending claim 1 to further recite the subject matter of claim 7. Applicants further respond by adding new claims 17-31, in which claim 17 recites the subject matter of original claims 1 and 16, and dependent claims 18-31 recite the subject matter of original claims 2-15.

Claims 1-6 and 8-15 stand rejected under 35 U.S.C. §103(a) for obviousness over various combinations of U.S. Pat. Nos. 5,993,059 of O’Neill et al.; 4,376,890 of Engström et al.; 6,229,346 of Ish-Shalom et al.; 5,255,068 of Emo et al.; and 6,345,909 of Yam.

Applicants believe that amended claim 1 and its dependent claims 2-6 and 8-15 are allowable and request that this rejection be withdrawn.

Applicants believe their application is in condition for allowance and respectfully request the same.

Respectfully submitted,

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